

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:15-cv-00990-RGA**

Fitbit, Inc. v. AliphCom et al
Assigned to: Judge Richard G. Andrews
Related Case: 1:15-cv-00775-RGA
Cause: 35:271 Patent Infringement

Date Filed: 10/29/2015
Date Terminated: 03/01/2017
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Fitbit, Inc.

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V.

Defendant

AliphCom
doing business as
Jawbone

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*PRO HAC VICE**ATTORNEY TO BE NOTICED***Defendant****BodyMedia, Inc.**represented by **Brian E. Farnan**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
10/29/2015	<u>1</u>	COMPLAINT filed with Jury Demand against AliphCom, BodyMedia, Inc. – Magistrate Consent Notice to Pltf. (Filing fee \$ 400, receipt number 0311-1817763) – filed by Fitbit, Inc. (Attachments: # <u>1</u> Exhibit A-C, # <u>2</u> Civil Cover Sheet)(klc) (Entered: 10/30/2015)
10/29/2015	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (klc) (Entered: 10/30/2015)
10/29/2015	<u>3</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Numbers: 8,920,332 B2; 8,868,377 B2; 9,089,760 B2. (klc) (Entered: 10/30/2015)
10/29/2015	<u>4</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed – filed by Fitbit, Inc.(klc) (Entered: 10/30/2015)
10/30/2015	<u>1</u>	Summons Issued with Magistrate Consent Notice attached as to AliphCom on 10/30/2015; BodyMedia, Inc. on 10/30/2015. Requesting party or attorney should pick up issued summons at the Help Desk, Room 4209, or call 302-573-6170 and ask the Clerk to mail the summons to them. (klc) (Entered: 10/30/2015)
11/02/2015	<u>5</u>	SUMMONS Returned Executed by Fitbit, Inc.. BodyMedia, Inc. served on 11/2/2015, answer due 11/23/2015. (Blumenfeld, Jack) (Entered: 11/02/2015)
11/04/2015	<u>6</u>	DECLARATION of Mailing as to service on AliphCom d/b/a Jawbone, by Fitbit, Inc.. (Attachments: # <u>1</u> Exhibits A-B)(Blumenfeld, Jack) Modified on 11/4/2015 (nms). (Entered: 11/04/2015)
11/04/2015	<u>1</u>	Case Assigned to Judge Richard G. Andrews. Please include the initials of the Judge (RGA) after the case number on all documents filed. (rjb) (Entered: 11/04/2015)
11/11/2015	<u>7</u>	MOTION for Pro Hac Vice Appearance of Attorney Josh A. Krevitt, Wayne Barsky, and Frederick S. Chung – filed by Fitbit, Inc., Fitbit Inc.. (Blumenfeld, Jack) (Entered: 11/11/2015)
11/12/2015	<u>1</u>	SO ORDERED, re <u>7</u> MOTION for Pro Hac Vice Appearance of Attorney Josh A. Krevitt, Wayne Barsky, and Frederick S. Chung filed by Fitbit, Inc., Fitbit Inc.. Signed by Judge Richard G. Andrews on 11/12/2015. (nms) (Entered: 11/12/2015)
11/17/2015	<u>8</u>	STIPULATION TO EXTEND TIME for Defendants to answer, move or otherwise respond to the Complaint to 12/30/2015 – filed by AliphCom, BodyMedia, Inc.. (Farnan, Brian) (Entered: 11/17/2015)

11/17/2015	¶ 1	SO ORDERED, re <u>8</u> STIPULATION TO EXTEND TIME for Defendants to answer, move or otherwise respond to the Complaint to 12/30/2015, filed by AliphCom, BodyMedia, Inc. (Reset Answer Deadlines: AliphCom answer due 12/30/2015; BodyMedia, Inc. answer due 12/30/2015). Signed by Judge Richard G. Andrews on 11/17/2015. (nms) (Entered: 11/17/2015)
12/15/2015	¶ 9	MOTION for Pro Hac Vice Appearance of Attorney Kalpana Srinivasan, Max L. Tribble, Jr., Joseph S. Grinstein, Genevieve Vose Wallace, and Elisha Barron – filed by AliphCom, BodyMedia, Inc.. (Farnan, Brian) (Entered: 12/15/2015)
12/15/2015	¶ 10	SO ORDERED, re <u>9</u> MOTION for Pro Hac Vice Appearance of Attorney Kalpana Srinivasan, Max L. Tribble, Jr., Joseph S. Grinstein, Genevieve Vose Wallace, and Elisha Barron filed by AliphCom, BodyMedia, Inc.. Signed by Judge Richard G. Andrews on 12/15/2015. (nms) (Entered: 12/15/2015)
12/16/2015	¶ 11	Pro Hac Vice Attorney Elisha Barron, Genevieve Vose Wallace, Joseph Grinstein, Max L. Tribble, Kalpana Srinivasan for AliphCom added for electronic noticing. Pursuant to Local Rule 83.5 (d).., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (klc) (Entered: 12/16/2015)
12/17/2015	¶ 12	ANSWER to <u>1</u> Complaint with Jury Demand by AliphCom, BodyMedia, Inc..(Farnan, Brian) (Entered: 12/17/2015)
12/17/2015	¶ 13	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent AliphCom d/b/a Jawbone for BodyMedia, Inc. filed by AliphCom, BodyMedia, Inc.. (Farnan, Brian) (Entered: 12/17/2015)
12/18/2015	¶ 14	MOTION to Transfer Case to United States District Court for the Northern District of California – filed by AliphCom, BodyMedia, Inc.. (Attachments: # <u>1</u> Rule 7.1.1 Certification)(Farnan, Brian) (Entered: 12/18/2015)
12/18/2015	¶ 15	OPENING BRIEF in Support re <u>12</u> MOTION to Transfer Case to United States District Court for the Northern District of California filed by AliphCom, BodyMedia, Inc..Answering Brief/Response due date per Local Rules is 1/7/2016. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Farnan, Brian) (Entered: 12/18/2015)
12/31/2015	¶ 16	STIPULATION TO EXTEND TIME for Plaintiff to Respond to Defendants' Motion to Transfer (D.I. 12) to January 21, 2016 – filed by Fitbit, Inc.. (Blumenfeld, Jack) (Entered: 12/31/2015)
12/31/2015	¶ 17	MOTION to Stay – filed by AliphCom, BodyMedia, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Farnan, Brian) (Entered: 12/31/2015)
01/05/2016	¶ 18	SO ORDERED, re <u>14</u> STIPULATION TO EXTEND TIME to Respond to Motion to Transfer (D.I. <u>12</u>) to January 21, 2016, filed by Fitbit, Inc. (Reset Briefing Schedule: re <u>12</u> MOTION to Transfer Case to United States District Court for the Northern District of California. Answering Brief due 1/21/2016). Signed by Judge Richard G. Andrews on 1/4/2016. (nms) (Entered: 01/05/2016)
01/05/2016	¶ 19	7.1.1 STATEMENT re <u>15</u> MOTION to Stay, by AliphCom, BodyMedia, Inc.. (Farnan, Brian) Modified on 1/6/2016 (nms). (Entered: 01/05/2016)
01/06/2016	¶ 20	ORDER Granting <u>15</u> MOTION to Stay. Signed by Judge Richard G. Andrews on 1/6/2016. (nms) (Entered: 01/06/2016)
01/06/2016	¶ 21	ORDER Administratively Closing Case. Signed by Judge Richard G. Andrews on 1/6/2016. (nms) (Entered: 01/06/2016)
01/04/2017	¶ 22	Official Transcript of Scheduling Conference held on 06-02-16 before Judge Richard G. Andrews. Court Reporter/Transcriber Leonard A. Dibbs. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due

		1/25/2017. Redacted Transcript Deadline set for 2/6/2017. Release of Transcript Restriction set for 4/4/2017. (lad) (Entered: 01/04/2017)
02/17/2017	<u>i</u> <u>20</u>	NOTICE of Resolution of ITC Proceeding by Fitbit, Inc. (Attachments: # <u>1</u> Exhibit A)(Blumenfeld, Jack) (Entered: 02/17/2017)
02/21/2017	<u>i</u> <u>21</u>	ORAL ORDER: The case has been reopened per the advisement filed at D.I. <u>20</u> . The parties shall file a joint status report within 7 days of the date of this order addressing the future schedule to be put in place. Ordered by Judge Richard G. Andrews on 2/21/2017. (nms) (Entered: 02/21/2017)
02/28/2017	<u>i</u> <u>22</u>	Joint STATUS REPORT by Fitbit, Inc.. (Blumenfeld, Jack) (Entered: 02/28/2017)
03/01/2017	<u>i</u> <u>23</u>	ORDER Granting <u>12</u> MOTION to Transfer Case to United States District Court for the Northern District of California. Signed by Judge Richard G. Andrews on 3/1/2017. (nms) (Entered: 03/01/2017)
03/01/2017	<u>i</u>	Case transferred to United States District Court for the Northern District of California. (nms) (Entered: 03/01/2017)